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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

THE PEOPLE,

Plaintiff and Respondent,

v.

KENNETH EDUARDO JAUREGUI,

Defendant and Appellant.

F068888

(Super. Ct. No. BF151123A)

OPINION

THE COURT*

APPEAL from a judgment of the Superior Court of Kern County. Michael E. Dellostritto, Judge.

Jyoti Malik, under appointment by the Court of Appeal, for Defendant and Appellant.

Kamala D. Harris, Attorney General, Michael P. Farrell, Assistant Attorney General, Eric L. Christoffersen and John G. McLean, Deputy Attorneys General, for Plaintiff and Respondent.

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* Before Detjen, Acting P.J., Franson, J. and Smith, J.

INTRODUCTION

On January 6, 2014, a jury found defendant Kenneth Eduardo Jauregui, guilty of one count of vehicle burglary (Pen. Code, § 460, subd. (b)) and one count of receiving stolen property (§ 496, subd. (a)). In a separate proceeding, the trial court found allegations that defendant had served prior prison terms within the meaning of section 667.5, subdivision (b) to be true. The trial court subsequently sentenced defendant to an aggregate term of five years in the Kern County Jail. On appeal, defendant asks that we review the trial court's in-camera review of the arresting officer's personnel files to determine if the trial court erred by failing to disclose any *Pitchess* material. We find no error and affirm the judgment.

FACTS

On October 10, 2013, Jessie Monclova was taking out her trash when she observed a man take a black backpack out of the passenger-side window of a nearby car. After the man rode away on his bicycle, Monclova approached the car and noticed the passenger-side window had been broken. Monclova immediately called the police and provided a description of the man on the bicycle.

After that description was announced over the police radio, Detective Dennis Park observed defendant—who matched Monclova's description and was carrying a black backpack—ride by on a bicycle. Park followed defendant for a short time, but lost sight of him. Defendant was then spotted hiding between parked cars by Sergeant Martin Heredia. Heredia ordered defendant to step away from the car, and found him to be in possession of a backpack which was later determined to be the one stolen from the car outside of Jessie Monclova's residence. Defendant was subsequently charged with vehicle burglary and receiving stolen property.

Prior to trial, defendant filed a *Pitchess*¹ motion seeking the disclosure of any materials within Detective Park's personnel file relating to "(1) false statements in reports, (2) false testimony, and (3) any other evidence of or complaints of dishonesty." The trial court granted defendant's motion for *Pitchess* discovery but, after in-camera review of Park's personnel files, found no information relevant to defendant's motion.

Defendant's case then proceeded to trial, where the jury found him guilty of the charged offenses. This appeal followed.

DISCUSSION

On appeal, defendant requests that we review the in-camera proceedings to determine if the trial court erred by failing to release relevant *Pitchess* material. Having examined the sealed record, we conclude that the trial court reviewed the files in their entirety and adequately stated the contents of those files for the record. We also conclude the file contained no relevant *Pitchess* material. Accordingly, defendant is not entitled to any relief.

DISPOSITION

The judgment is affirmed.

¹ See *Pitchess v. Superior Court* (1974) 11 Cal.3d 531. The California Legislature codified the privileges and procedures set out in *Pitchess* through the enactment of Penal Code sections 832.7 and 832.8 and Evidence Code sections 1043 through 1045. (*City of Santa Cruz v. Municipal Court* (1989) 49 Cal.3d 74, 81.)